

## UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

KENNETH FRIERSON,	)	
Plaintiff	)	
v.	)	Case No.: 5:21-CV-45-D
THE SHAW UNIVERSITY,	)	
Defendant	)	

## BILL OF COSTS

Judgment having been entered in the above entitled action on May 19, 2023 against Plaintiff,  
Date  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$	0.00
Fees for service of summons and subpoena .....		0.00
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....		1,528.25
Fees and disbursements for printing .....		0.00
Fees for witnesses ( <i>itemize on page two</i> ) .....		80.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case. ....		0.00
Docket fees under 28 U.S.C. 1923 .....		27.50
Costs as shown on Mandate of Court of Appeals .....		0.00
Compensation of court-appointed experts .....		0.00
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....		0.00
Other costs ( <i>please itemize</i> ) .....		0.00
TOTAL	\$	1,635.75

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

☒ Electronic service ☐ First class mail, postage prepaid

☐ Other: \_\_\_\_\_

s/ Attorney: /s/ Daniel T. Blue, III

Name of Attorney: Daniel T. Blue, III

For: THE SHAW UNIVERSITY Date: June 2, 2023  
Name of Claiming Party

## Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

\_\_\_\_\_  
Clerk of Court By: \_\_\_\_\_  
Deputy Clerk \_\_\_\_\_  
Date

**Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)**

## NOTICE

"Sec. 1924. Verification of bill of costs."

**See also Section 1920 of Title 28, which reads in part as follows:**

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

**RULE 54(d)(1)**

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

**RULE 58(e)**

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

## ITEMIZATION AND DOCUMENTATION

### TRANSCRIPT FEES

*Pamela Denning*

Transcript Copy \$ 215.00

*Lee Wood*

Transcript Copy \$ 240.00

*Kenneth Frierson*

Original Transcript - Medical, Technical or Video \$ 633.25

Attendance - Half Day 125.00

Veritext Virtual Primary Participants 315.00

**SUBTOTAL -- Transcripts \$ 1,528.25**

### WITNESS FEES

*Pamela Denning*

Attendance \$ 40.00

*Lee Wood*

Attendance 40.00

**SUBTOTAL -- Witness Fees \$ 80.00**

### DOCKET FEES

Motion for summary judgment \$ 20.00

Depositions admitted in evidence (3 @ \$2.50) 7.50

**SUBTOTAL -- Docket Fees \$ 27.50**

**TOTAL FEES \$ 1,635.75**



# Wyatt Legal Services, LLC

Court Reporting & Videography  
3936 Elizabeth Glen Way, Jamestown, NC 27282

TAX I.D. # 246889269

Phone: (336)510-8515

wlsdepositions.com

Invoice # 22138

Invoice Date: 6/14/22

**Bill To:**

Daniel T. Blue, III Esquire  
BLUE LLP  
205 Fayetteville Street, Suite 300  
Raleigh, NC 27601

Phone #: 919-833-1931

**Case Number:** 5:21-CV-45-D

**Case Name:** KENNETH FRIERSON, Plaintiff, vs. THE SHAW UNIVERSITY, Defendant.

**Division:** UNITED STATES DISTRICT COURT

**Venue:** EASTERN DISTRICT OF NORTH CAROLINA

**Date Taken:** 5/31/22

**Deposition of:** Pamela Denning

<u>Item Description</u>	<u>Count</u>	<u>Comments</u>	<u>Sub-Total</u>
Video Original			
Video Copy			
Video Sync			
Appearance Fee			
Transcript Original			\$-
Transcript Copy	86		\$215.00
Exhibit Copies	73	Only Scan	\$25.55
Miscellaneous			
Subtotal			\$240.55
Interest			
Shipping & Handling			
Please Pay This Amount			\$240.55

TO ENSURE PROPER CREDIT TO YOUR ACCOUNT, PLEASE INCLUDE THE INVOICE NUMBER WITH YOUR PAYMENT.

Notice: Invoices not paid in full within 30 days will be subject of a 1.5% finance charge per month.  
Cost of collection, including reasonable attorney fees, shall be added to delinquent accounts.

Pay Upon Receipt

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CIVIL ACTION NO. 5:21-CV-45-D

\_\_\_\_\_  
KENNETH FRIERSON,

Plaintiff,

v.

THE SHAW UNIVERSITY,

Defendant.  
\_\_\_\_\_

)  
)  
)  
)  
) **NOTICE OF DEPOSITION OF**  
) **PAMELA DENNING**  
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)  
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)

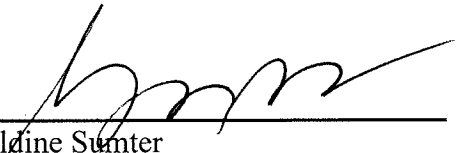
Ms. Pamela Denning  
c/o Daniel T. Blue, III and  
Dhamian A. Blue  
BLUE LLP  
205 Fayetteville Street  
Suite 300  
Raleigh, North Carolina 27601

PLEASE TAKE NOTICE that the undersigned attorney for the Plaintiff, Kenneth Frierson, pursuant to Rule 30 of the Federal Rules of Civil Procedure, will take the deposition of **Pamela Denning** by remote video on **Thursday, May 31, 2022** beginning at **2:00 p.m.** A web link to the remote video via Zoom will be provided by the court reporter prior to this deposition.

Pursuant to Rule 30 of the Federal Rules of Civil Procedure, the deposition will be taken on oral examination under oath before a court reporter or other person authorized to administer oaths pursuant to the North Carolina Secretary of State Temporary Emergency Video Notarization Authorization and it will be recorded by stenographic means and may be used at trial.

The deposition will continue from day to day until completed. You are hereby notified to appear and take such part in the examination as you may be advised and shall be fit and proper.

This 3rd day of May, 2022.

  
\_\_\_\_\_  
Geraldine Sumter  
N.C. Bar No. 11107  
Ferguson Chambers & Sumter, PA  
309 East Morehead Street, Suite 110  
Charlotte, North Carolina 28202  
Telephone: (704) 375-8461  
Facsimile: (980) 938-4867  
E-Mail: [gsumter@fergusonsumter.com](mailto:gsumter@fergusonsumter.com)

Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **NOTICE OF DEPOSITION OF PAMELA DENNING** was served on counsel of record for Defendant via electronic mail as follows:

Daniel T. Blue, III  
N.C. Bar No. 27720  
Dhamian A. Blue  
N.C. Bar No. 31405  
BLUE LLP  
205 Fayetteville Street  
Suite 300  
Raleigh, North Carolina 27601  
Telephone: 919/833-1931  
Facsimile: 919/833-8009  
Email: [dtb3@blueellp.com](mailto:dtb3@blueellp.com)  
[dab@blueellp.com](mailto:dab@blueellp.com)

This  day of May, 2022.

  
\_\_\_\_\_  
Geraldine Sumter  
N.C. Bar No. 11107  
Ferguson Chambers & Sumter, P.A.  
309 East Morehead Street, Suite 110  
Charlotte, North Carolina 28202  
Telephone: (704) 375-8461  
Facsimile: (980) 938-4867  
E-mail: [gsumter@fergusonsumter.com](mailto:gsumter@fergusonsumter.com)

Attorney for Plaintiff





# Wyatt Legal Services, LLC

Court Reporting & Videography  
3936 Elizabeth Glen Way, Jamestown, NC 27282

TAX I.D. # 246889269

Phone: (336)510-8515

wlsdepositions.com

Invoice # 22178

Invoice Date: 7/18/22

**Bill To:**

Daniel T. Blue, III Esquire  
BLUE LLP  
205 Fayetteville Street, Suite 300  
Raleigh, NC 27601

Phone #: 919-833-1931

**Case Number:** 5:21-CV-45-D

**Case Name:** KENNETH FRIERSON, Plaintiff, vs. THE SHAW UNIVERSITY, Defendant.

**Division:** UNITED STATES DISTRICT COURT

**Venue:** EASTERN DISTRICT OF NORTH CAROLINA

**Date Taken:** 3/30/22

**Deposition of:** Lee Wood

<u>Item Description</u>	<u>Count</u>	<u>Comments</u>	<u>Sub-Total</u>
Video Original			
Video Copy			
Video Sync			
Appearance Fee			
Transcript Original			\$-
Transcript Copy	96		\$240.00
Exhibit Copies	48	Only Scan	\$16.80
Miscellaneous			
Subtotal			\$256.80
Interest			
Shipping & Handling			
Please Pay This Amount			\$256.80

TO ENSURE PROPER CREDIT TO YOUR ACCOUNT, PLEASE INCLUDE THE INVOICE NUMBER WITH YOUR PAYMENT.

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Cost of collection, including reasonable attorney fees, shall be added to delinquent accounts.

Pay Upon Receipt

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CIVIL ACTION NO. 5:21-CV-45-D

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KENNETH FRIERSON,

Plaintiff,

v.

THE SHAW UNIVERSITY,

Defendant.

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**NOTICE OF DEPOSITION OF  
LEE WOOD**

Mr. Lee Wood  
c/o Daniel T. Blue, III and  
Dhamian A. Blue  
BLUE LLP  
205 Fayetteville Street  
Suite 300  
Raleigh, North Carolina 27601

PLEASE TAKE NOTICE that the undersigned attorney for the Plaintiff, Kenneth Frierson, pursuant to Rule 30 of the Federal Rules of Civil Procedure, will take the deposition of **Lee Wood** by remote video on **Thursday, June 30, 2022** beginning at **2:00 p.m.** A web link to the remote video via Zoom will be provided by the court reporter prior to this deposition.

Pursuant to Rule 30 of the Federal Rules of Civil Procedure, the deposition will be taken on oral examination under oath before a court reporter or other person authorized to administer oaths pursuant to the North Carolina Secretary of State Temporary Emergency Video Notarization Authorization and it will be recorded by stenographic means and may be used at trial.

The deposition will continue from day to day until completed. You are hereby notified to appear and take such part in the examination as you may be advised and shall be fit and proper.

This 21<sup>st</sup> day of June, 2022.



Geraldine Sumter  
N.C. Bar No. 11107  
Ferguson Chambers & Sumter, PA  
309 East Morehead Street, Suite 110  
Charlotte, North Carolina 28202  
Telephone: (704) 375-8461  
Facsimile: (980) 938-4867  
E-Mail: [gsumter@fergusonsumter.com](mailto:gsumter@fergusonsumter.com)

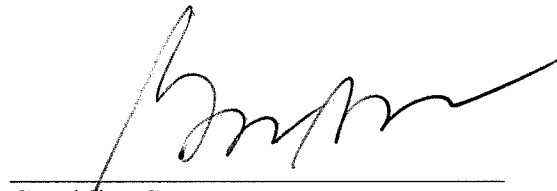
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **NOTICE OF DEPOSITION OF LEE WOOD** was served on counsel of record for Defendant via electronic mail as follows:

Daniel T. Blue, III  
N.C. Bar No. 27720  
Dhamian A. Blue  
N.C. Bar No. 31405  
BLUE LLP  
205 Fayetteville Street  
Suite 300  
Raleigh, North Carolina 27601  
Telephone: 919/833-1931  
Facsimile: 919/833-8009  
Email: [dtb3@bluellp.com](mailto:dtb3@bluellp.com)  
[dab@bluellp.com](mailto:dab@bluellp.com)

This 21<sup>st</sup> day of June, 2022.



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Geraldine Sumter  
N.C. Bar No. 11107  
Ferguson Chambers & Sumter, P.A.  
309 East Morehead Street, Suite 110  
Charlotte, North Carolina 28202  
Telephone: (704) 375-8461  
Facsimile: (980) 938-4867  
E-mail: [gsumter@fergusonsumter.com](mailto:gsumter@fergusonsumter.com)

Attorney for Plaintiff

## Veritext, LLC - Southeast Division

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Fed. Tax ID: 20-3132569



Bill To: Dan Blue, III  
Blue LLP  
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Suite 300  
Raleigh, NC, 27601

Invoice #: 5843701  
Invoice Date: 6/14/2022  
Balance Due: \$0.00

**Case: Frierson, Kenneth v. The Shaw University (5:21cv45D)**

**Proceeding Type: Depositions**

Job #: 5253925 | Job Date: 5/27/2022 | Delivery: Normal

Location: Troy, MI

Billing Atty: Dan Blue, III

Scheduling Atty: Dan Blue, III | Blue LLP

Witness: Kenneth Frierson	Quantity	Price	Amount
Original Transcript - Medical, Technical or Video	149.00	\$4.25	\$633.25
Attendance - Half Day	1.00	\$125.00	\$125.00
Exhibits	19.00	\$0.50	\$9.50
Witness Read and Sign Services	1.00	\$25.00	\$25.00
Litigation Package - Secure File Suite	1.00	\$48.00	\$48.00
Veritext Virtual Primary Participants	1.00	\$315.00	\$315.00

Notes:	<b>Invoice Total:</b>	<b>\$1,155.75</b>
	<b>Payment:</b>	<b>(\$1,190.94)</b>
	<b>Credit:</b>	<b>\$0.00</b>
	<b>Interest:</b>	<b>\$35.19</b>
	<b>Balance Due:</b>	<b>\$0.00</b>

TERMS: Payable upon receipt. Accounts 30 days past due will bear a finance charge of 1.5% per month. Accounts unpaid after 90 days agree to pay all collection costs, including reasonable attorney's fees. Contact us to correct payment errors. No adjustments will be made after 90 days. For more information on charges related to our services please consult <http://www.veritext.com/services/all-services/services-information>

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**Swift:** HATRUS44

**Invoice #:** 5843701  
**Invoice Date:** 6/14/2022  
**Balance Due:** \$0.00

Pay by Credit Card: [www.veritext.com](http://www.veritext.com)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

KENNETH FRIERSON,

Plaintiff,

v.

THE SHAW UNIVERSITY

Defendant.

**No. 5: 21-cv-45-D**

**NOTICE OF REMOTE DEPOSITION**

TO: Geraldine Sumter  
Ferguson Chambers & Sumter, PA  
309 East Morehead Street, Suite 110  
Charlotte, North Carolina 28202  
GSumter@fergusonsumter.com

You are hereby notified that on May 27, 2022, beginning at 10:00 a.m. EST, I will take the deposition of Plaintiff Kenneth Frierson upon oral examination pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure. The deposition will be taken before a notary public or some other officer duly authorized by law to take depositions. The deposition will continue from day to day until its completion.

Pursuant to Rules 29 and 30, the deposition will be taken, via remote means, before an officer authorized to administer the oath to the deponent. We encourage you to access the link prior to the deposition for additional information and to obtain any technical assistance you may require to assist with carrying out the virtual deposition.

**NOTICE IS FURTHER GIVEN** that we reserve the right to conduct this deposition

utilizing the secure web-based deposition option afforded by Veritext or in the alternative video teleconferencing (VTC) services or telephonically to provide remote/virtual access for those parties wishing to participate in the deposition via the internet and/or telephone. Also take notice that we reserve the right to record the deposition either by stenographic means by a court reporter certified to record depositions or a digital reporter utilizing state-of-the-art digital recording equipment. Both the court reporter and digital reporter are authorized to administer the oath and serve as the deposition officer. Take note that the deposition officer may also be remote and out of the presence of the deponent via one of the options above for the purposes of providing the oath/affirmation to the deponent and capturing the proceeding. We further reserve the right to utilize the following: (1) Record the deposition utilizing audio or video technology; (2) Instant visual display such that the reporter's writing of the proceeding will be available to all who are a party to this proceeding to request and receive it in realtime; (3) Exhibit Capture (picture-in-picture) technology in which any exhibit reviewed by the deponent during the deposition can be captured visually; and (4) To conduct this deposition utilizing a paperless exhibit display process called Exhibit Share or a similar paperless virtual display platform. The parties are advised that in lieu of a paper set of exhibits they may be provided and displayed digitally to the deposition officer, deponent, parties and counsel. The exhibits will be compiled by the deposition officer for the purposes of exhibit stamping, and ultimate production of the final certified transcript.



Dated: May 17, 2022

Respectfully Submitted,

/s/ Daniel T. Blue, III

Dhamian A. Blue (NC Bar No. 31405)

Daniel T. Blue, III (NC Bar No. 27720)

BLUE LLP

205 Fayetteville St., Suite 300

Post Office Box 1730

Raleigh, NC 27602

Tel: 919-833-1931

Fax: 919-833-8009

Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on May 17, 2022, I served the foregoing *Notice of Remote Deposition* on all counsel of record via electronic mail as follows:

Geraldine Sumter  
Ferguson Chambers & Sumter, PA  
309 East Morehead Street, Suite 110  
Charlotte, North Carolina 28202  
GSumter@fergusonsumter.com

/s/Daniel T. Blue, III  
Daniel T. Blue, III